

What omissions
may be supplied.

the preceding section enumerated, and all other of the like nature, not being against the right and justice of the matter of the suit, and not altering the issue between the parties on the trial, shall be supplied and amended by the court where the judgment shall be given, or by the court into which such judgment shall be removed by writ of error.

Process how
amended.

SEC. 9. No process, pleading or record shall be amended or impaired by the clerk or other officer of any court, or by any other person, without the order of such court, or of some other court of competent authority.

To what actions
this act to extend.

SEC. 10. The provisions of this act shall extend to all actions in courts of law, and to all suits for the recovery of any debt due to this Territory, or for any debt, duty or revenue belonging to it; and also to all actions for penalties and forfeitures, to all writs of mandamus and prohibition, to all informalities [informations] in the nature of a quo warranto, to writs of scire facias and to the proceedings therein.

CHAP. 11.—An Act to prevent stallions in certain cases from running at large.

Stallions not to
run at large

SEC. 1. That it shall be unlawful for the owner or owners of any stallion to permit or suffer any such stallion over two years of age to run at large on the public highways, uninclosed grounds or commons, and out of the proper enclosure of such owner or owners; and the owner or owners of any such stallion who shall permit or suffer the same to run at large contrary to the provisions of this act, shall be fined in a sum not exceeding twenty-five dollars, and not less than ten dollars for each offence, to be recovered by action of debt, together with costs of suit, in any court having jurisdiction of the same, in the name of any person who will sue therefor; the one moiety of the penalty so recovered, to be paid to the prosecutor, and the other moiety to go to the use of the proper county.

Penalty.

Liability of
owner.

SEC. 2. The owner or owners of any such stallion who shall suffer or permit the same to run at large, contrary to the provisions of this act, shall be further liable for and pay all damages which any person may sustain in consequence of such horse running at large.

Act to take of
fact.

SEC. 3. This act shall take effect on the first day of May, A. D. 1839.

CHAP. 111.—An act relating to strays.

May be taken up,
where, by whom.

SEC. 1. That no person shall take up any stray, unless such person shall be at the time, a resident of the same township, wherein such stray shall be found upon the land owned or occupied by the taker up.

Notice to owner
if known.

SEC. 2. Any person taking up any stray, shall within seven days thereafter, notify the owner thereof, if to him known, and request such owner to pay all reasonable damages and charges, and take such stray away.

If known, how

SEC. 3. If the owner of any stray be unknown, the taker up shall